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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/602,964 | 06/24/2003 | Tommy L. Jamison | 1322-000158 | 1212 |

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EXAMINER

PRETLOW, DEMETRIUS R

ART UNIT PAPER NUMBER

2863

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/602,964

Applicant(s)

JAMISON ET AL.

Examiner

Demetrius R. Pretlow

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 May 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10, 12-17, 19 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-10, 19 and 20 is/are allowed.
- 6) ☒ Claim(s) 12-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 12 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Establishing an axis of a **bore** in the container; In claim 12, line 7 was not previously disclosed.

Claims 12-17 are rejected to as being dependent upon a 112 first paragraph rejected base claim.

Allowable Subject Matter

Claims 1-10,19-22 are allowed.

The primary reason for the allowance of claims 1-10 is the inclusion of the method steps of identifying each critical device (CD) that is employed to affect a position of an associated critical component (CC); identifying a plurality of possible positions (PPcd) for each critical device (CD); identifying a plurality of possible combinations (PC), each possible combination (PC) including one of the possible positions (PPcd) for each of the critical devices (CD); and evaluating each of the possible combinations (PC)

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to identify which of said possible combinations (PCA) adversely effect the output of the machine tool. It is these steps found in each of the claims, as it is **claimed in the combination**, that has not been found, taught or suggested by the prior art of record which makes these claims allowable over the prior art.

The primary reason for the allowance of claim 19 is the inclusion of the method steps of aligning the moving crosshead horizontally and vertically to an axis defined by the main ram, wherein the step of aligning the moving crosshead horizontally comprises: mounting a laser transmitter to one of the front and rear platens; moving a laser receiver to the other one of the front and rear platens; generating a laser beam with the laser transmitter; receiving the laser beam with the laser receiver to establish an offset axis, the offset axis being horizontally offset from the axis of the main ram by a predetermined distance', mounting the laser receiver to the moving crosshead', receiving the laser beam with the laser receiver to determine an amount by which an axis of the moving crosshead is horizontally offset from the offset axis; and calculating an amount by which the axis of the moving crosshead is horizontally offset from the axis of the main ram. It is these steps found in each of the claims, as it is claimed in the combination, that has not been found, taught or suggested by the prior art of record which makes these claims allowable over the prior art.

The primary reason for the allowance of claims 20-21 is the inclusion of the method step of aligning the moving crosshead horizontally and vertically to an axis defined by the main ram, wherein the step of aligning the moving crosshead vertically comprises: mounting a laser transmitter on a first lateral side of the extrusion press, the

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laser transmitter generating a laser beam that is contained in a first horizontal plane; mounting a laser receiver to the rear platen on the first lateral side; transmitting the laser beam in the first horizontal plane to the laser receiver to determine a first elevation of the rear platen; mounting the laser receiver to the front platen on the first lateral side; transmitting the laser beam in the first horizontal plane to the laser receiver to determine a first elevation of the front platen; mounting the laser receiver to the moving crosshead on the first lateral side; transmitting the laser beam in the first horizontal plane to the laser receiver to determine a first elevation of the moving crosshead; mounting the laser receiver to the container; transmitting the laser beam in the first horizontal plane to the laser receiver to determine an elevation of the container', mounting a laser transmitter on a second lateral side of the extrusion press such that the laser transmitter generates the laser beam in a second horizontal plane; transmitting the laser beam in the second horizontal plane to the laser receiver that is mounted on the container to determine a lateral elevation offset; mounting the laser receiver to the rear platen on the second lateral side; transmitting the laser beam in the second horizontal plane to the laser receiver to determine a second elevation of the rear platen; mounting the laser receiver to the front platen on the second lateral side; transmitting the laser beam in the second horizontal plane to the laser receiver to determine a second elevation of the front platen', mounting the laser receiver to the moving crosshead on the second lateral side; transmitting the laser beam in the second horizontal plane to the laser receiver to determine a second elevation of the moving crosshead; employing the first and second elevations of the rear platen, the first and second elevations of the front platen and the

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lateral elevation offset to determine a position of the axis of the main ram in a generally vertical plane; and employing the first and second elevations of the moving crosshead and the lateral elevation offset to determine a position of the axis of the moving crosshead in the generally vertical plane. It is these steps found in each of the claims, as it is claimed in the combination, that has not been found, taught or suggested by the prior art of record which makes these claims allowable over the prior art.

Response to Amendment

The amendment filed May 10, 2005 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: Establishing an axis of a bore in the container; In claim 12, line 7.

Applicant is required to cancel the new matter in the reply to this Office Action.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Demetrius R. Pretlow whose telephone number is (703) 272-2278. The examiner can normally be reached on 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on (571) 272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Demetrius R. Pretlow

Demetrius Pretlow 7/25/05

Patent Examiner

Michael Nghiem
MICHAEL NGHIEM
PRIMARY EXAMINER